

HIGH COURT FOR THE STATE OF TELANGANA

MAIN CASE: Crl.A.No.669 of 2025

PROCEEDING SHEET

Sl. No.	DATE	ORDER	OFFICE NOTE
04.	07.11.2025	<u>SKS, J</u> <u>I.A.No.1 of 2025</u> Having satisfied with the reasons mentioned in the accompanying affidavit, the delay of 8 days in filing the appeal, is hereby condoned. <u>I.A.No.2 of 2025</u> Dispense with for the present. <u>Crl.A.No.669 of 2025</u> Admit. List on 12.12.2025. In the meantime, Registry is directed to call for record from the trial Court and prepare paper book and place before this Court. <u>I.A.No.3 of 2025</u> This Interlocutory Application is filed with a prayer to suspend the judgment against the petitioner dated 17.04.2025 passed in S.C.(POCSO).No.44 of 2024 by the Principal Sessions Judge-cum-Special Sessions Judge for Trial of Cases under Protection of Children Against	

		Sexual Offences (POCSO) Act, Narayanpet. Heard learned counsel for the petitioner and learned Additional Public Prosecutor. Learned counsel for the petitioner submitted that according to the prosecution the victim was a minor on the date of the incident and that the prosecution has not filed any relevant evidence to prove the age of the victim. He further submitted that the bona fide certificate cannot be treated as a valid document to determine the age of the victim. Even according to the prosecution, on the date of the alleged offence, the victim had completed her Intermediate second year. The case of the prosecution is that the petitioner and the victim got married, and the complaint was lodged by the mother of the victim while the victim was residing at her mother's house, which itself shows that the relationship between the parties was a consensual one. The petitioner is aged about 26 years, and the victim was around 17 years at the relevant time. Learned counsel for the petitioner further submitted that he has good grounds to succeed in the appeal and that the final hearing of the appeal	
--	--	---	--

		may take considerable time. Therefore, he prayed that this petition be allowed. On the other hand, the learned Additional Public Prosecutor appearing for respondent, opposed the bail petition, contending that there is no illegality in the order of the trial Court and that the trial Court has rightly passed the impugned order. He further submitted that there are three other cases pending against the petitioner. Therefore, while advocating that there is ample evidence on record against the petitioner, he prayed the Court to dismiss the petition. Perused the contents of the affidavit filed in support of the petition. Having regard to the rival submissions and upon perusal of the material on record, it appears that the trial Court came to the conclusion that the victim was a minor on the date of the incident. The record further shows that the victim and the accused got married and lived together for about six months, and thereafter, upon knowing about the criminal case filed by the mother of the victim,	
--	--	--	--

	the accused left her at her mother's house. Further, this Court finds that the petitioner has made out a prima facie case for suspension of the judgment, particularly in view of the grounds urged in the appeal. Considering the facts and circumstances of the case, this Court is of the view that the sentence of imprisonment can be suspended pending disposal of the criminal appeal, subject to conditions. In the result, the sentence imposed on the petitioner/accused dated 17.04.2025 passed in S.C.(POCSO).No.44 of 2024 by the Principal Sessions Judge-cum-Special Sessions Judge for Trial of Cases under Protection of Children Against Sexual Offences (POCSO) Act, Narayanpet, is hereby suspended pending disposal of the criminal appeal, subject to the petitioner executing a personal bond of Rs.25,000/- (Rupees Twenty-Five Thousand Only) with two sureties of the like sum each, to the satisfaction of the Principal Sessions Judge-cum-Special Sessions Judge for Trial of	
--	--	--

		Cases under Protection of Children Against Sexual Offences (POCSO) Act, Narayanpet. During bail, the petitioner shall not indulge in any criminal acts, and in case of failure to do so, the respondent – State is at liberty to file petition for cancellation of bail. <u>SKS, J</u> SAI	
--	--	---	--